

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

Case No. 5:20-CV-00581-M

DANIEL L. WILLIAMS SR.,

Plaintiff,

v.

LELAND DUDEK,<sup>1</sup>

*Acting Commissioner of Social Security*

Defendant.

ORDER

This matter comes before the court on Plaintiff's Petition for Attorney's Fees Pursuant to 24 U.S.C. § 406(b)(1). [DE 38]. The court finds, in accordance with the Supreme Court's decision in *Gisbrecht v. Barnhart*, that the contingency fee sought by Plaintiff's counsel is reasonable in light of the time spent on this matter and the results achieved. 535 U.S.C. 789, 808 (2002). Further, "[t]here is no evidence of delay tactics employed by counsel causing the accumulation of past due benefits" and Plaintiff's filings are "well-supported, evidencing thorough research and application of law to the particular facts of Plaintiff's claim, rather than boilerplate recitations, and resulted in a remand order." *Honeycutt v. Kijakazi*, No. 5:20-CV-438-RJ, 2023 WL 8655265, at \*2 (E.D.N.C. Dec. 14, 2023); *see also* [DE 30].

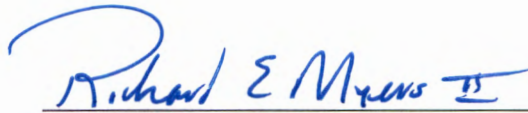
For these reasons, pursuant to § 406(b)(1), Plaintiff's motion is GRANTED, and the court AWARDS Plaintiff's counsel, Meredith E. Marcus, attorney's fees in the gross amount of \$26,271.25. The court's previous award of \$5,222.18 pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), shall partially satisfy this award. Thus, the Commissioner shall pay

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<sup>1</sup> Leland Dudek is automatically substituted as Defendant pursuant to Fed. R. Civ. P. 25(d).

to Ms. Marcus the net balance of \$21,049.07 out of Plaintiff's past-due benefits in accordance with agency policy.

SO ORDERED this 24<sup>th</sup> day of April, 2025.



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RICHARD E. MYERS II  
CHIEF UNITED STATES DISTRICT JUDGE